

No. 11(112) 3Lab-79/4128.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Ashoka Timber Yamunanagar :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 281 of 1978

between

THE WORKMEN AND THE MANAGEMENT OF M/S ASHOKA TIMBER, YAMUNANAGAR

Present :—

Shri Balbir Singh for the workman.

Shri W. S. Sharma for the management.

AWARD

By order No. ID/AMB/5-78/34865, dated the 25th July, 1978, the Governor of Haryana referred the following dispute between the management of M/s. Ashoka Timber Yamunanagar and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the date of appointment of the following workmen mentioned against each is correct ?
If not, what is the correct date of appointment?

Serial No.	Name	Date of appointment
1.	Ram Naresh	August, 1976
2.	Ram Surat	November, 1976
3.	Shiv Mangal	August, 1976
4.	Amawas	August, 1975
5.	Raja Ram	August, 1976
6.	Sri Ram	November, 1976
7.	Praboo Nath	March, 1976
8.	Lal Ji	May, 1977
9.	Gotam	March, 1977
10.	Shiv Ram	March, 1976
11.	Ambika	January, 1976
12.	Suraj	January, 1975
13.	Khadroo	January, 1976

On receipt of the order of reference, notices were issued to the parties. The parties prepared and filed their pleadings. On the pleadings of the parties, the following issues were framed on 25th October, 1978 :—

1. Whether the workmen are the employees of the management? If not, to what effect?
2. Whether the reference has become infructuous?
3. Whether the date of the appointment of the workmen shown in the order of reference is correct? If not, what is the date of appointment?

And the case was fixed for the evidence of the workmen. Two adjournments thereafter were granted. One on the request of the workmen, the other for settlement and if no settlement was arrived at

for the evidence of the workmen. On the last date of hearing, the representative for the management appeared but none appeared for the workmen. The representative for the management stated that the workmen have left their factory and had gone away after settling their dispute and claim fully and finally. He also produced copies of letters of Joint Secretary, Labour Department. In view of the circumstances, I give my award that no dispute exists between the parties at present.

Dated, the 28th March, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endt. No. 286, dated the 3rd April, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

No. 11 (112) 3 Lab-79/4129.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947, (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad in respect of the dispute between the workman and the management of M/s Auto Pins (India) Regd., Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 287 of 1978

between

SHRI RAM KUMAR, WORKMAN AND THE MANAGEMENT OF M/S AUTO
PINS (INDIA) REGD., FARIDABAD.

Present :—

Shri Jawahar Lal for the workman.

Shri R.C. Sharma for the management.

AWARD

By order No. FD/11/25-N-78/34309, dated 21st July, 1978, the Governor of Haryana referred the following dispute between the management of M/s Auto Pins (India) Regd., Faridabad and its workman Shri Ram Kumar, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Ram Kumar was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed on 15th January, 1979 :

1. Whether the workman was a probationer? If so, to what effect?
2. Whether the termination of services of the workman concerned was justified and in order?
3. If not, to what relief is he entitled?

And the case was fixed for the evidence of the management on the date fixed in the case. None appeared for the workman. The case was dismissed in default. I, therefore, give my award that there is no dispute between the parties.

Dated, the 28th March, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 287, dated 3rd April, 1979.

Forwarded (four copies) to the Secretary, to Government, Haryana, Labour and Employment Departments Chandigarh as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3Lab-79/4130.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s. the Jathlana Co-operative Credit and Service Society Ltd., Jathlana, Tehsil Thanesar District Kurukshetra:—

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No: 157 of 1978

between

SHRI BAL KISHAN AGGARWAL, WORKMAN AND THE MANAGEMENT OF M/S.
THE JATHLANA CO-OPERATIVE CREDIT AND SERVICE SOCIETY LTD.,
JATHLANA, TEHSIL THANESAR, DISTRICT KURUKSHETRA

Present :—

Dr. Surinder Kumar for the workman.

No one for the management.

AWARD

By order No. ID/FNL./35-78/32695, dated 13th July, 1978, the Governor of Haryana referred the following dispute between the management of M/s the Jathlana Co-operative Credit and Service Society Ltd., Jathlana, Tehsil Thanesar, District Kurukshetra and the workman Shri Bal Kishan Aggarwal to this Court for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Bal Kishan Aggarwal was justified and in order?
If not, to what relief is he entitled.

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, the following issues were framed by my learned predecessor on 27th September, 1978 :—

- (i) Whether the workman is not covered under the I. D. Act ;
- (ii) Whether the workman is a member of Karnal General Transport Workers Union ?
If not to what effect ?
- (iii) Whether the workman was habitual absentee ? If so, to what effect?
- (iv) If issue Nos. 1 to 3 are found against the management, whether the termination of services of the workman was justified and in order ?
- (v) If not, to what relief is he entitled ?

And the case was fixed for the evidence of the parties for 25th October, 1978. On 25th October, 1978, the case was adjourned for 21st November, 1978. On 21st November, 1978 no one appeared or behalf of the management and *ex parte* proceedings were ordered to be taken against the management by my learned Predecessor and the case adjourned for *ex parte* evidence of the workman for 21st December, 1978. The case was again adjourned for *ex parte* evidence of the workman and it was on 22nd March, 1979 that the workman appeared as his own witness and made statement affirming his claim that he was employed in Jathlana Co-operative Credit and

Service Society Ltd., Jathlana since 8th November, 1976 as a Salesman on a permanent Job drawing Rs 250 P. M. that the management terminated his services on 8th November, 1977 without any notice. He claims to be un-employed since the termination of his services and also stated that the firm was in existence and claims reinstatement with continuous service and full back wages. For want of any evidence in justification of the termination of the services of the workman and lack of evidence in support of their written-statement. The issues No. 1, 2, 3 and 4 are decided against the management as the burden of proof was on the management.

I have no other alternative than to believe in *ex parte* statement of the workman and therefore, I give my award that the termination of services of the workman was neither justified nor in order. The workman is entitled to re-instatement with continuity of services and full back wages.

Dated the 27th March, 1979.

BABU RAM GOYAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Endst No. Ref. 157/78/731, dated the 3rd April, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11(112)3Lab-79/4131.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s R. B. Metal Industries, Jagadhri.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 111 of 1978

between

SHRI NOBAT RAM, WORKMAN AND THE MANAGEMENT OF M/S R. B. METAL
INDUSTRIES, JAGADHRI

Present.—

Shri Rajeshwar Nath, for the workman.

Shri Subhash Chander, for the management.

AWARD

By order No. ID/Amb./43-W-78/29527, dated 26th June, 1978, the Governor of Haryana referred the following disputes between the management of M/s R. B. Metal Industries, Jagadhri and its workman Shri Nobat Ram, to this Court, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Nobat Ram was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their Claim statement and Written Statement. At the stage of filing the re-joinder by the workman, the parties submitted on 21st March, 1979 that the workman and the management have arrived at a settlement and that the claim of the workman has been fully satisfied by payment of money due to him. The statement of Shri Rajeshwar Nath authorised representative of the workman was recorded who stated that —

“The workman has arrived at a settlement with the management and he has received all his dues from the management. Now no claim remains outstanding and the workman does not want to pursue the claim. The case may be filed and the reference may be answered to the Labour Ministry accordingly.”

In view of this statement I answer the reference and give my award that the termination of the services of Shri Nobat Ram was justified and in order and he is not entitled to any further relief.

Dated the 27th March, 1979.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Ends. No. Ref. 111 of 78/730, dated 3rd April, 1979.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 11 (112) 3 Lab-79/4132.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the management of M/s Om Chemical Works, Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD.

Reference No. 245 of 1978

between

THE WORKMEN AND THE MANAGEMENT OF M/S. OM CHEMICAL WORKS,
MATHURA ROAD, FARIDABAD.

Present :—

Shri Sagar Ram Gupta, for the workman.

Shri V. K. Nayyar, for the management.

AWARD

By order No. ID/FD/39-N-78/33459, dated 18th July, 1978, the Governor of Haryana referred the following dispute between the management of M/s. Om Chemical Works, Mathura Road, Faridabad and its workmen to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

1. Whether the workmen are entitled to the grant of bonus for the years 1975-76 and 1976-77, If so, with what details ?
2. Whether the workmen are entitled to the grant of cycle allowance ? If so, with what details ?
3. Whether the workmen are entitled to the grant of Dearness Allowance ? If so, with what details ?
4. Whether the workmen are entitled to the grant of washing allowance ? If so, with what details ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared but on the last date of hearing the representative for the workmen stated that he had no instructions from the workmen and he withdrew the case. On the statement of the representative for the workmen, I give my award that at present, there is no dispute between the parties regarding the demands referred to this Tribunal as disputes.

Dated the 28th March, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 281, dated the 3rd April, 1979.

Forward (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad

No. 11(112)-3Lab-79/4133.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workman and the management of M/s. Solar Glass Works Pvt. Ltd., Plot No. 83, Sector 25, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 572 of 1978

between

THE WORKMEN AND THE MANAGEMENT OF M/S. SOLAR GLASS WORKS, PVT.
LTD., PLOT No. 83, SECTOR 25, FARIDABAD

Present :

Shri Hari Singh, for the workman.

Shri Ramesh Gupta, for the management.

AWARD

By order No. ID/FD/96-78/54879, dated 7th December, 1978, the Governor of Haryana referred the following dispute between the management of M/s. Solar Glass Works Pvt. Ltd., Plot No. 83, Sector 25, Faridabad and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

1. Whether the workmen are entitled to the supply of two sets of uniforms every year ? If so, with what details?
2. Whether the grade and scales of pay be fixed for the workmen ? If so, with what details?
3. Whether the workmen are entitled to house rent allowance ? If so, with what details?
4. Whether the workmen are entitled to bonus for the year 1977-78? If so, with what details?
5. Whether the workmen are entitled to the grant of any dearness allowance ? If so, with what details?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. The representative for the management stated that the factory was closed. The representative for the Workmen withdrew the case stating that if the factory restarted functioning he shall get a new reference. In these circumstances, I give my award that at present there is no dispute between the parties.

NATHU RAM SHARMA,

Dated the 28th March, 1979.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 280, dated the 3rd April, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.